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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL
STEIN J

USDC SDNY	
DOCUMENT	
ELECTRONICALLY FILED	
DOC #:	
DATE FILED:	5/14/07

GARDNER SMITH PTY. LIMITED,

Plaintiff,

-against-

SUNSHINE OIL & CHEMICAL
DEVELOPMENT CO.,

Defendant.

07 Civ. 3736 (SHS)

**ORDER DIRECTING CLERK
TO ISSUE PROCESS OF
MARITIME ATTACHMENT
AND GARNISHMENT**

Upon reading and filing the Verified Complaint of Plaintiff, GARDNER SMITH PTY. LIMITED, as disponent Owner of the M/V SONGA CRYSTAL ("GARDNER SMITH"), verified on May 11, 2007 by Jeremy J.O. Harwood, Esq., that to the best of his information and belief, the Defendant SUNSHINE OIL & CHEMICAL DEVELOPMENT CO., cannot be found within this district, and the Court having found that the conditions required by Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist,

NOW, upon motion of Blank Rome LLP, attorneys for Plaintiff, it is hereby,

ORDERED, that the Clerk of this Court is authorized to issue the Process of Maritime Attachment and Garnishment against all assets, cash, funds, credits, wire

transfers, accounts, letters of credit, electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other tangible and/or intangible assets belonging to, due, claimed by, being held for or on behalf of, or being transferred for the benefit of Defendant, SUNSHINE OIL & CHEMICAL DEVELOPMENT CO., including, but not limited to any such assets as may be in the possession, custody or control of, or being transferred through any garnishee within this District, including, without limitation, assets held by or at:

1. The Bank of New York
2. Bank of America
3. JP Morgan Chase
4. ABN Amro Bank
5. American Express Bank
6. Barclay's Bank
7. BNP Paribas
8. Citibank
9. Standard Chartered Bank
10. Atlantic Bank of New York
11. Credit Industriel et Commercial
12. Deutsche Bank AG
13. Dresdner Bank AG
14. HSBC Bank USA
15. Société Générale

and said Order being equally applicable with respect to the issuance and service of additional Writs of Maritime Attachment and Garnishment upon any garnishees in this district not named herein, in an amount up to and including \$289,595 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

ORDERED, that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a

prompt hearing at which the Plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED, that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED, that following initial service by the United States Marshal or other designated process server upon each garnishee, supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission ^{upon written consent, by} of email to each garnishee and, it is further, JMS

ORDERED, that service on any garnishee as described above is deemed continuous throughout the day from the time of such service through the opening of the garnishee's business the next business day; and, it is further,

ORDERED, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D), each garnishee may consent, in writing, to accept service by any other means; and, it is further,

ORDERED, that a copy of this Order be attached to and served with the said Process of Maritime Attachment and Garnishment.

✓ Dated: May 14, 2007

SO ORDERED:



U.S.D.J.

